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Attorneys' Dkt. No.: RJL/PO7244US02(30170)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Thomas R. POTTER, SR.
Serial No. 09/866,919

Art Unit: Unknown
Examiner: Unknown
Filed: 5/30/2001

ELECTRONIC PARKING METER SYSTEM (AS AMENDED)
* * * * *

Arlington, VA
28 January 2002

SUBMISSION OF PETITION UNDER 37 CFR 1.147(b)

S I R:

This submission is included in the accompanying Response to the Notice to File Missing Parts of a Non-Provisional Application (Filing Date Granted).

Accompanying this Submission are: (1) a Petition Under 37 CFR 1.47(b); the petition fee of \$130.00 under 37 CFR 1.17(h); and the last known address of the missing joint inventors as set forth in the Petition.

Respectfully submitted,
Thomas R. POTTER ET AL.

By-----
R. J. Lasker 22785
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30170.AMD

RESPONSE- CIP APPLICATION
POTTER, SR. ET AL.

4



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Arlington, VA
28 January 2002

PETITION UNDER 37 CFR 1.147(b)

S I R:

The undersigned attorney is the attorney of record in the above-identified application.

On information and belief: (1) the subject patent application is in the name of two joint inventors, each of which is identified on the Declaration accompanying this Petition; (2) the signature of each of the two inventors is missing; and (3) the Assignee, Innovapark, LLC, is entitled to the entire, right, title and interest in and to the subject invention by virtue of an assignment and/or rights accruing from a contractual relationship.

The last known address of the inventors is as set forth in the declaration accompanying this Petition.

On or about 30 July 2001, I received a NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION (Filing Date Granted) dated 26 July 2001.

On 12 October 2001, the undersigned attorney forwarded a complete copy of the subject cip application and a complete declaration by certified, return-receipt postage prepaid mail to each of the respective inventors and requesting that each of them sign the declaration and return it for filing with the Office.

RESPONSE- CIP APPLICATION
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Attached is a copy of each of the certified return receipts confirming receipt of the aforementioned mailings to each of the joint inventors.

I received a letter dated 29 October 2001 from a David A. Plumley, Esq., attorney for Mr. Ralph Ferguson (one of the joint inventors), acknowledging receipt of my letter of 12 October to Mr. Ferguson, raising questions concerning a settlement agreement between Innovapark, LLC (the Assignee) and requesting copies of any divisional, continuation, cip applications or foreign applications claiming priority of Ferguson's original patent application.

On 6 November 2001, the undersigned attorney replied to Mr. Plumley's request. As of this date the undersigned attorney has not received a reply from Mr. Plumley, nor a signed declaration, and the applicant is now in the fourth month of an extension, which expires 26 January 2002, to file a response to the Notice.

The undersigned attorney was in telephone communication with Mr. Potter, Sr. prior to the mailing of the copy of the cip application and the declaration to him at which time he requested that the declaration be sent to him.

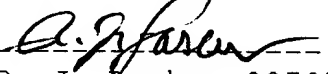
As of this date the undersigned attorney has not received a signed declaration from either of the joint inventors.

The last known address of the joint inventors is as follows:

- (1) Mr. Thomas R. Potter, Sr., President Reno A & E, 4655 Aircenter Circle, Reno, Nevada, 89502;
- (2) Mr. Ralph C. Ferguson, 13154 Yerber Street, North Hollywood, CA 91605.

It is submitted that the assignee, INNOVAPARK, LLC should be allowed to make application for the subject cip application on behalf of and as agent for the joint inventors and that such action is necessary to preserve the rights of the parties, based on the showing herein made.

Respectfully submitted,
Thomas R. POTTER ET AL.

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OF COUNSEL
* ROBERT J. LASKER
THOMAS P. SARRO

ROBERTS B. LARSON (1904-1984)
ANDREW E. TAYLOR (RETIRED)

INTELLECTUAL PROPERTY LAW

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12 OCTOBER 2001

MR. TOM POTTER, SR.
PRESIDENT
RENO A & E
4655 AIRCENTER CIRCLE
RENO, NEVADA 89502

CERTIFIED MAIL
RETURN RECEIPT

RE: DECLARATION FOR CIP APPLICATION RELATING TO PARKING METERS
MY REF: 30170CIP

DEAR MR. POTTER, SR.:

ENCLOSED IS A COPY OF THE CONTINUATION-IN-PART (CIP) APPLICATION AND THE COMBINED DECLARATION AND POWER OF ATTORNEY. THIS CIP APPLICATION IS A COMBINATION OF THE FERGUSON'S ORIGINAL APPLICATION (SN 08/720721, WHICH YOU AND I MODIFIED IN OR ABOUT APRIL 1999, AND YOUR APPLICATION SN 09/525148, FILED 14 MARCH 2000. THE CIP APPLICATION ALSO COMPRISES A PRELIMINARY AMENDMENT WHICH CANCELS THE ORIGINAL CLAIMS OF THE FERGUSON APPLICATION AND ADDS CLAIMS 25-63.

IT IS MY OPINION THAT THAT BOTH YOU AND FERGUSON ARE JOINT INVENTORS OF THE CIP APPLICATION (AS EXPRESSED BY CLAIMS 25-63).

I WILL BE OUT OF THE OFFICE UNTIL 29 OCTOBER 2001, AT WHICH TIME WE CAN DISCUSS THIS MATTER FURTHER, SHOULD THAT BE NECESSARY.

THANK YOU FOR YOUR COOPERATION.

VERY TRULY YOURS,


R. J. LASKER, ESQ.
LARSON & TAYLOR, PLC

30170LET



MARVIN PETRY
ROSS F. HUNT, JR.
WILLIAM E. JACKSON *
DOUGLAS E. JACKSON *
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OF COUNSEL
* ROBERT J. LASKER
THOMAS P. SARRO

ROBERTS B. LARSON (1904-1984)
ANDREW E. TAYLOR (RETIRED)

INTELLECTUAL PROPERTY LAW

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12 OCTOBER 2001

MR. RALPH C. FERGUSON
13154 YERBA STREET
N. HOLLYWOOD, CA 91605

BY CERTIFIED
RETURN RECEIPT
MAIL

RE: DECLARATION FOR CIP APPLICATION RELATING TO PARKING METERS

DEAR MR. FERGUSON:

I AM THE PATENT ATTORNEY NOW REPRESENTING INNOVAPARK COMPANY, LLC, THE SUCCESSOR IN INTEREST TO YOUR ASSIGNMENT TO ADVANCED TRAFFIC SYSTEMS, INC. OF YOUR INVENTION ENTITLED: PARKING METER AND FILED 20 FEBRUARY 96 UNDER SERIAL NO. 08/720721 WITH THE UNITED STATES PATENT AND TRADEMARK OFFICE.

FOR REASONS THAT ARE OF NO MOMENT TO THE PRESENT CIRCUMSTANCES IT WAS NECESSARY TO FILE A CONTINUATION-IN-PART (CIP) APPLICATION AND ABANDON THE 08/720721 PATENT.

HOWEVER, UNDER THE DEFINITION OF A CIP APPLICATION, THE FILING DATE OF THE 08/720721 APPLICATION HAS BEEN PRESERVED AND INCLUDES THE DESCRIPTION OF THAT APPLICATION.

ENCLOSED IS A COPY OF THE CIP APPLICATION AND AN ACCOMPANYING PRELIMINARY AMENDMENT WHICH CANCELS ORIGINAL CLAIMS 1-24 AND ADDS CLAIMS 25-63. THE CIP APPLICATION INCLUDES DESCRIPTION OF A MR. THOMAS R. POTTER, SR. MORE SIGNIFICANTLY, YOU AND MR. POTTER ARE, IN MY OPINION, JOINT INVENTORS OF AT LEAST CERTAIN CLAIMS (25-63) OF THE CIP APPLICATION.

THE COMBINED DECLARATION AND POWER OF ATTORNEY IS INCLUDED IN THIS MAILING.

AS A JOINT INVENTOR OF THE SUBJECT CIP APPLICATION, I AM REQUESTING THAT YOU SIGN AND DATE THE DECLARATION IN THE APPROPRIATE PLACE AT THE END OF THE DECLARATION. FOR YOUR CONVENIENCE I HAVE ENCLOSED A SELF-ADDRESSED, POSTAGE, PREPAID ENVELOPE FOR RETURN OF THE SIGNED DECLARATION TO MY OFFICES.

THANK YOU FOR YOUR COOPERATION IN THIS MATTER.

VERY TRULY YOURS,


R. J. LASKER, ESQ.
LARSON & TAYLOR, PLC

30170LET

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Ralph C. Ferguson
13154 Yerber St.
N. Hollywood CA 91605

2. Article Number (Copy from service label)

7099 3220 0004 6467 7189

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1781

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

☐ Agent
☐ AddresseeD. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☒ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Thomas R. Potter, Sr.
President

Reno A & E
4655 Aircenter Circle
Reno, Nevada 895-2

2. Article Number (Copy from service label)

70993220 0004 6467 7189

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

☐ Agent
☒ AddresseeD. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☒ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes